WP(C) 6445/2007

BEFORE

THE HON’BLE MR. JUSTICE B.K. SHARMA

Both the writ petitions have been heard together as they are connected to each other.

In WP(C) No. 1325/2007, the challenge made is to the decision of the authority to re-hear the matter of settlement of the fishery called Jiang Ghogra Itilia Group Fishery of Kamrup District. This Court while entertaining the writ petition stayed the process of hearing initiated by the impugned notice dated 7.3.2007. However, on a subsequent date i.e. on 9.4.2007 this Court permitted to re-hear the matter and then to pass appropriate order. The order was to be placed before this Court in sealed cover.

In the second writ petition i.e. WP(C) No. 6445/2007, the challenge made is the order of settlement made in favour of petitioner in WP(C) No. 1325/2007, which was subsequently cancelled by the Government. Upon such cancellation, the matter was to be re-heard, for which, liberty was granted by this Court as noticed above.

In view of the above, both the writ petitions stand disposed of reiterating the order dated 9.4.2007 passed in WP(C) No. 1325/2007 in terms of which the authorities are at liberty to re-hear the matter as was proposed by the impugned notice dated 7.3.2007.

Let the re-hear be done by the authority as expeditiously as possible preferably within two months providing all reasonable opportunities to the contesting parties.

Till the matter is decided upon re-hearing by passing appropriate order, status quo as on today as regards the management of the affairs of the fishery in question shall be maintained.